

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

WILFORD PHELPS,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,

Defendant.

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CASE NO. 1:21-CV-2295

JUDGE BENITA Y. PEARSON

**MEMORANDUM OF OPINION AND
ORDER**

[Regarding [ECF No. 11](#)]

On November 15, 2022, the assigned magistrate judge issued a Report and Recommendation suggesting that the Commissioner's decision denying Plaintiffs application for Supplemental Security Income be reversed and the case be remanded for additional proceedings consistent with this recommendation. *See* [ECF No. 11](#).

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of a Report and Recommendation to which the parties have made an objection. [28 U.S.C. § 636\(b\)\(1\)\(C\)](#). Parties must file any objections to a Report and Recommendation within fourteen days of service. *Id.*; [Fed. R. Civ. Pro. 72\(b\)\(2\)](#). Failure to object within this time waives a party's right to appeal the district court's judgment. [Thomas v. Arn](#), 474 U.S. 140, 145 (1985); [United States v. Walters](#), 638 F.2d 947, 949-50 (6th Cir. 1981). Absent objection, a district court may adopt a magistrate judge's report without review. *See* [Thomas](#), 474 U.S. at 149.

In the instant case, objections to the Report and Recommendation were due by November 29, 2022. No party has not filed an Objection, and Defendant's Response indicated that there

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would be no objections filed. *See* [ECF No. 12](#). Accordingly, the Court adopts the Report and Recommendation. [ECF No. 11](#). The Commissioner's decision denying Supplemental Security Income is reversed and the matter is remanded for proceedings consistent with the recommendation.

IT IS SO ORDERED.

January 18, 2023

Date

/s/ Benita Y. Pearson

Benita Y. Pearson
United States District Judge